

The biweekly E-News Update features current information on the Divisions of Air Quality, Waste and Hazardous Substances, and Water regarding public meetings, workshops, hearings, and regulatory documents available for public comment, as well as general news updates. For those of you who are receiving the E-News Update for the first time, the subscription is FREE! Please sign up at the following link under the Divisions of Air Quality and Waste and Hazardous Substances at:

<http://www.delaware.gov/Pages/Lists.aspx>

There is no form to fill out; it's done in three clicks! Suggestions? Additions? Please call Stacy Jones at 302-739-9400, or send an email to Stacy.Jones@state.de.us

Published by Divisions of Air Quality, Waste and Hazardous Substances, and Water.

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SECRETARY'S ORDERS

- [Secretary's Order No. 2014-S-0025](#)
RE: Application of Delaware City Refining Company, LLC for Federal Coastal Zone Management Act Consistency Determination for Shoreline Restoration Project along the Delaware River near Delaware City, New Castle County

UPCOMING AIR, WASTE, & WATER-RELATED HEARINGS, MEETINGS, & EVENTS

PUBLIC HEARING ON AN APPLICATION SUBMITTED BY MOUNTAIRE FARMS, INC. LOCATED AT 29106 JOHN J. WILLIAMS HWY, MILLSBORO, SUSSEX COUNTY. The public hearing will be held at the Indian River Senior Center, 214 Irons Avenue, Millsboro, at 6 pm on **December 17**. The application maybe inspected at the offices of the Division of Air Quality, Blue Hen Corporate Center, 655 S. Bay Road, Suite 5 N, Dover, DE 19901 and at 715 Grantham Lane, New Castle, DE 19720; or visit: <http://www.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=2543&Source=http%3A%2F%2Fwww%2E%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

WATER SUPPLY COORDINATING COUNCIL MEETING - The Council will hold a meeting on **January 21, 2015** from 10am to 12pm at the Kent County Administration Complex, Conference Rooms 220 A&B, 555 Bay Road, Dover, DE, 19901. Dover, DE 19901. For additional information, please contact Kimberly Burris at (302) 739-9945; or visit: <http://egov.delaware.gov/pmc/Event/Details/24898>

SOURCE WATER PROTECTION CITIZEN TECHNICAL ADVISORY COMMITTEE MEETING - The Committee will hold a meeting on **May 6** from 9am to 12pm at the Kent County Administration Complex, Conference Rooms 220 A&B, 555 Bay Road, Dover, DE, 19901. Dover, DE 19901. For additional information, please contact Kimberly Burris at (302) 739-9945; or visit: <http://egov.delaware.gov/pmc/Event/Details/25727>

DOCUMENTS AVAILABLE FOR PUBLIC COMMENT OR APPEAL

AIR QUALITY PERMITTING PROGRAM – Notice has been given that the facilities listed below have submitted applications for air quality management permits. The applications, the “draft/proposed” permits, all materials that the applicant has submitted (other than those granted confidential treatment under rules), and a copy of summary of other materials, if any, considered in preparing the “draft/proposed” permit, may be inspected at the offices of the Division of Air Quality, 655 S. Bay Road, Dover and 715 Grantham Lane, New Castle. All comments and public hearing requests should be mailed to the following address: DIVISION OF AIR QUALITY, 655 S. Bay Road, Suite 5 N, Dover, DE 19901. To submit comments, for additional information, or for an appointment to inspect the application, please contact Penny Gentry at (302) 739-9402.

NOTICE IS HEREBY GIVEN THAT INDEPENDENCE CONSTRUCTION MATERIAL (ICM OF DELAWARE, INC.) HAVING FACILITIES AT 3700 BAY ROAD, DOVER AND 22351 JOSEPH ROAD, GEORGETOWN, has requested a federally enforceable 7 DE Admin. Code 1102 construction permit (Permit: APC-2015/0037-CONSTRUCTION (MNSR) (NSPS) (FE)) for a mobile 540 HP shingle grinder. The permit will limit emissions to 1.3 TPY of NOX + NMHC, 1.1 TPY of CO, 0.33 TPY TOC, 0.11 TPY of PM10, 0.17 TPY PM, and 0.0015 TPY of SOx for each site. Upon completion of construction, the Department will incorporate the operating conditions and limits of the 7 DE Admin. Code 1102 Construction permit into the facility's existing synthetic minor permits via Administrative Amendments. To submit comments, for additional information or for an appointment to inspect the application, please contact Laura Bogus at the Dover Office at 739-9402. A public hearing on the above application will NOT be held unless our agency Secretary receives a request for a hearing by **December 23**. For additional information visit:

<http://www..delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=2539&Source=http%3A%2F%2Fwww%2E%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

NOTICE IS HEREBY GIVEN THAT CRODA, INC. HAVING A FACILITY AT 315 CHERRY LANE, NEW CASTLE, has submitted a request for a permit renewal pursuant to 7 DE Admin. Code 1130, Section 7 for operating permit: AQM-003/00058. Based on the data and certifications contained in the application, the Division of Air Quality concludes that the applicant meets all applicable requirements promulgated by the Environmental Protection Agency (EPA) and our agency. To submit comments, for additional information or for an appointment to inspect the application, please contact Laura Bogus at the Dover Office at 739-9402. A public hearing concerning the permitting action will not be held unless our agency Secretary receives a request for such hearing by **December 26**. A request for a hearing shall be in writing and must show a familiarity with the application and a reasoned statement of the permit renewal's probable impact. For additional information visit:

<http://www..delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=2544&Source=http%3A%2F%2Fwww%2E%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

NOTICE IS HEREBY GIVEN THAT NEW HAVEN PACKAGING, LLC has submitted an application, pursuant to 7 DE Admin. Code 1102, Section 2.1, 11.2.9, and 12.3 for a construction permit at 1318 East 12th Street in Wilmington. New Haven Packaging, LLC. requests a limit for PM fugitive emissions of 1.052 tons per year, PM10 emissions of 5.12 tons per year, CO emissions of 1.38 tons per year, NOx emissions of 1.65 tons per year, SOx emissions of 0.01 ton per year, and VOC's emissions of 0.09 ton per year. These limits are necessary to restrict New Haven Packaging, LLC. potential to emit air pollutants and the limit will be enforceable by the EPA and the state. Total estimated emissions from the facility without these restrictions are greater than 100 tons of Particulate Matter (PM) per year. A public hearing concerning the permitting action will not be held unless our agency Secretary receives a request for such hearing within thirty (30) days from the date of this notice, ending January 13. A request for a hearing shall be in writing and must show a familiarity with the application and a reasoned statement of the permit's probable impact. To submit comments, for additional information or for an appointment to inspect the public file, please contact Laura Bogus in the Dover office at (302) 739-9402; or visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=2557&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

SITE INVESTIGATION AND RESTORATION SECTION – The Division's Site Investigation and Restoration Section (SIRS) is responsible for the identification, evaluation and remediation of sites in Delaware that have had past releases of hazardous substances. The Section manages the contaminated sites under three major programs in accordance with the Hazardous Substance Cleanup Act (HSCA).

The three programs are the Brownfields Development Program, the Voluntary Cleanup Program (VCP) and the HSCA Enforcement Program (for sites requiring enforcement action).

FINAL PLAN OF REMEDIAL ACTION FOR THE PEARSONS CORNER SITE (DE-

1411) The Department has adopted a plan regarding the clean-up of the Pearsons Corner Site located in Pearsons Corner west of Dover in Kent County. The Site consists of the groundwater contamination plumes underneath residential and commercial properties in the area. The plumes will be treated in place by injecting chemical oxidation compounds into the plumes, followed by monitoring to ensure treatment success. Our agency issued public notice of the Proposed Plan for the Site on October 29. There were no comments or questions from the public regarding the Proposed Plan. Details of the Final Plan are available at the Dover Library, at the SIRS office (391 Lukens Drive, New Castle, DE, 19720), or online at:

<http://www..delaware.gov/whs/awm/SIRB/Pages/SIRBPlans.aspx>. The public may appeal this Final Plan for a period of, twenty (20) days from the date of this notice. In the event the twentieth day falls on a weekend or holiday the final date to appeal will be the next business day. This notice ends **December 29**. For additional information, please contact John Cargill, Project Manager, or Robert Newsome, Public Information Officer, at (302) 395-2600; or visit:

<http://www..delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=2553&Source=http%3A%2F%2Fwww%2E%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

PROPOSED PLAN OF REMEDIAL ACTION FOR THE MITCH ROAD SITE (DE-1543)

The Department invites public comment on a proposal to clean up the Mitch Road Site located at 2207 Mitch Road in Stanton Delaware. The 0.59 acre Site consists of several automotive repair businesses and an asphalt parking lot surrounded by a mixed residential/commercial area. Details of the Proposed Plan are available at the Kirkwood library, SIRS (391 Lukens Drive, New Castle, DE, 19720), or online at

<http://www.dnrec.delaware.gov/whs/awm/SIRB/Pages/SIRBPlans.aspx>. The comment period ends on **January 5**. For additional information, please contact Larry Jones, Project Manager, or Robert Newsome, Public Information Officer, at (302)395-2600; or visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=2559&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

THE BROWNFIELDS DEVELOPMENT PROGRAM encourages the cleanup and redevelopment of vacant, abandoned or underutilized properties, which may be contaminated. A party seeking to develop such a property negotiates with SIRS for a **Brownfields Development Agreement (BDA)** to perform an investigation and, if necessary, a remedial action or remedy, for the purpose of addressing the risks posed by past releases of hazardous substances at these sites. However, a BDA is only available to parties that are not current site owners. The **Voluntary Cleanup Program (VCP) Agreement** is available to site owners, who want to clean up their sites and are already liable as a potentially responsible party for the site. Proposed and Final Plans of Remedial Action are available online at:

<http://www..delaware.gov/whs/awm/SIRB/Pages/SIRBPlans.aspx> under "Announcements." For site-specific information, please see our Environmental Navigator at <http://www.nav..delaware.gov/DEN3>

NOTIFICATION OF PUBLIC COMMENT PERIOD FOR A BROWNFIELDS DEVELOPMENT AGREEMENT FOR THE FORMER PENNY HILL MOBIL SITE (DE

1596) Our Site Investigation and Restoration Section (SIRS) negotiated a BDA with DKNR Realty, LLC regarding the Former Penny Hill Mobil Site located at 2509 Philadelphia Pike in Claymont. Identified by New Castle County as tax parcel number 06-095.00-545, the 0.35 acre Site may have had a release of hazardous substances as a

result of past use as a gas station. The public comment period began on December 8 and will close at the end of the business day on **December 29**. Please submit written comments to the SIRS Project Manager, Kristen Thornton at SIRS, 391 Lukens Drive, New Castle, DE 19720. A copy of the BDA is available at the SIRS office or by accessing the SIRS' site files database. For additional information visit:

<http://www..delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=2550&Source=http%3A%2F%2Fwww%2E%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItem%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

DIVISION OF WATER - GROUND WATER DISCHARGES – The Division of Water hereby gives notice that the applications below have been received. For additional information or to inspect the applications, please contact Kathleen Saunders in Ground Water Discharges, 89 Kings Highway, Dover, DE 19901; or by phone at (302) 739-9948.

Formal Waiver Application

Hammond Farms, LLC has applied for a Formal Waiver from Section 6.3.1.1 of the Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems to permit individual on-site septic systems with advanced treatment on the remaining 22 lots of the 121 lot subdivision known as Abbotts Pond Acres, Kent County in Milford. A public hearing on the above application will NOT be held unless our agency Secretary determines that a public hearing is in the public interest or if a written meritorious objection to the application is received within 15 days from this notice ending **December 22**. For additional information visit:

<http://www..delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=2552&Source=http%3A%2F%2Fwww%2E%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

Non-Hazardous Liquid Waste Transporters Permit

Synagro - WWT, Inc. has applied to the Ground Water Discharges Section for a renewal of Non-Hazardous Liquid Waste Transporters Permit DE OH-254 which allows for the transport of non-hazardous liquid wastes, municipal and industrial biosolids, to be disposed of at out-of-state permitted facilities and within Delaware in accordance with AGU 1101-S-03 (Synagro Central LLC), on the Baxter Farm (tax parcels 1-35-23.00-29.00; 1-33-2.00-54; 1-33-2.00-55.1; 1-33-3.00-3). A public hearing on the above application will NOT be held unless our agency Secretary determines that a public hearing is in the public interest or if a written meritorious objection to the application is received within 15 days from this notice ending **December 29**. For additional information visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=2560&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

DIVISION OF WATER - SURFACE WATER DISCHARGES – The Division of Water hereby gives notice that the following permit applications have been received.

Agricultural Utilization Permit

Kent County Levy Court has requested that their existing agricultural utilization permit, State Permit Number AGU 1401-K-03, be amended to add additional land application fields known as the West Farm. The current permit authorizes the application of treated biosolids generated at the Kent County Regional Wastewater Treatment Facility onto four farms known as the Kent County Sludge Farm, the Nyle Calloway Farm, the Blessing Farm, and the Goldinger Farm, comprising a total of approximately 365 acres of farmland in Kent County, Delaware that is suitable for land application. The biosolids are required to undergo periodic analysis for a list of specific parameters including nutrient content and metals. The biosolids will be delivered to the land application sites in accordance with Delaware Waste Transporters Permit No. OH-11 where

it will be land applied at agronomic rates. The West Farm is located on the east side of Kent County Road # 1 (Bay Road) approximately 1 mile southeast of Frederica and immediately to the northwest of the Kent County Wastewater Treatment Plant. Upon permit modification, approximately 88 acres of land at the West Farm would be approved for agricultural utilization and incorporated into State Permit Number AGU 1401-K-03. The above referenced permits will be renewed under Part III, B. of the Department's Guidance and Regulations Governing the Land Treatment of Wastes which allows for such activity pending public notice. A public hearing on the above application will NOT be held unless our agency Secretary determines that a public hearing is in the public interest or if a written meritorious objection to the application is received by **January 9**. For additional information contact Brian Churchill, Surface Water Discharges Section Division of Water, 89 Kings Highway, Dover, DE 19901, (302) 739-9946; or visit: <http://www.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=2549&Source=http%3A%2F%2Fwww%2E%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

NPDES Permit

Notice is hereby given that the Delaware City Refining Corporation, LLC (DCRC) has applied for reissuance of its National Pollutant Discharge Elimination System (NPDES) permits for: Its Delaware City Refinery, located on Wrangle Hill Road in Delaware City, to discharge cooling water, treated process wastewater, and storm water to Cedar Creek, the Delaware River, Dragon Run Creek and Red Lion Creek (NPDES Permit DE 0000256 and State Permit No. WPCC 3256C/74); and for Its Delaware City Power Plant, located on Rte. 9 in Delaware City, to discharge cooling water, treated wastewater, and storm water to the Delaware River (NPDES Permit No. DE 0050601 and State Permit No. WPCC 3094D/76). The proposed reissuance will consolidate both permits into one NPDES permit, No. DE0000256. On the basis of a preliminary staff review and application of lawful standards and regulations, the Department proposes to re-issue the referenced permit for the facilities above, subject to certain effluent limitations and conditions. The proposed determinations are tentative. Persons wishing to comment upon or object to the proposed determinations are invited to submit same in writing to the Surface Water Discharges Section of the Division of Water, 89 Kings Highway, Dover, DE 19901. A public hearing on the above will NOT be held unless our agency Secretary receives a request by **January 13** or if the Secretary determines that a public hearing is in the public interest. A request for a hearing shall be in writing and shall state the nature of the issues to be raised at the hearing. It must also show familiarity with the proposal and a reasoned statement of the permit's probable impact. More information can be found at <http://www.dnrec.delaware.gov/wr/Information/Pages/dcrcnpdespermit.aspx> or visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=2558&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

DIVISION OF WATER - WETLANDS AND SUBAQUEOUS LANDS SECTION – The Division of Water hereby gives notice that the applications below are available for inspection or copies may be obtained by contacting: Gayle Calder, Wetlands and Subaqueous Lands Section, 89 Kings Highway, Dover – 19901, or by calling (302) 739-9943. A public hearing on the applications below will NOT be held unless our agency Secretary determines that a public hearing is in the public interest or if a written meritorious objection to the application is received by **December 22**. For additional information visit: <http://www.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=2545&Source=http%3A%2F%2Fwww%2E%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAIItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

Subaqueous Lands Permit Application

Terry Lynn Leatherwood (Tax Parcel #334-5-351) To construct a 5 by 40 foot dock attached to an existing bulkhead in Red Mill Pond at 30784 Elm Drive, Edgewater Estates, Lewes, Sussex County

Subaqueous Lands, Wetlands and Water Quality Application

Prime Hook National Wildlife Refuge (TM 2-30-17-220 & 2-30-16-220) To restore 5,900 linear feet of foreshore dune along the Delaware Bay and restore the associated back-barrier marsh to saltwater/brackish wetlands within the Refuge's Unit II (previously managed as a freshwater impoundment) and to dredge a network of meandering channels to distribute daily tide cycle throughout Units II and III at the Prime Hook National Wildlife Refuge, 11978 Turtle Pond Road, Milton, Sussex County.

Subaqueous Lands Lease Application

Churchman's Road Shopping Center, Inc. (Tax Parcel #335-8.08-138) To install a 3 by 15 foot aluminum gangway, 6 by 8 foot floating pier, 6 by 30 foot floating dock with 2 stabilization pilings and 52 linear feet of rip-rap in the Lewes and Rehoboth Canal at 218 Gills Neck Road, Lewes, Sussex County.

Michael and Marcianna Filippone, (3-35-4.14-89.03) To remove the channel ward most 5 by 50 foot section of an existing 5 by 70 foot pier, to install a 3 by 20 foot gangway, and a 6 by 35 foot floating dock in the Lewes and Rehoboth Canal at 6 CH Mason Way (Lot 4), Lewes, Sussex County.

CONTACT INFORMATION

24-Hour Report and Spill Notification Line - 1-800-662-8802
Aboveground Storage Tanks - 302-395-2500
Air Quality - New Castle Office - 302-323-4542
Air Quality – Kent & Sussex – 302-739-9402
Asbestos New Castle - 302-323-4542
Asbestos Kent & Sussex - 302-739-9402
Biosolids Permits - 302-739-9946
Boiler Safety - 302-744-2735
Brownfields - 302-395-2600
Delaware Estuary Program - 302-739-9283 (Delaware Coastal Management Program)
Division of Air Quality Director's Office - 302-739-9402
Division of Waste and Hazardous Substances Director's Office - 302-739-9400
Division of Water Information - 302-739-9950
Dock/Dredging/Bulkheads/Rip-Rap/Wetlands & Subaqueous Lands - 302-739-9943
Emergency Prevention and Response - 302-739-9404
Environmental Crimes Unit - 302-739-9401 or 1-800-662-8802
Environmental Laboratory - 302-739-9942
Hazardous Waste - 302-739-9403
Industrial Stormwater Permits - 302-739-9946
Loans & Grants for Wastewater and Septic's (Financial Assistance Branch) - 302-739-9941
Medical Waste - 302-739-9403
Non-Hazardous Liquid Waste Transporters - 302-739-9948
On-site Wastewater Licensing Program - 302-739-9948
Open Burning - 302-739-9402
Outreach Ombudsman - 302-395-2600
Recycling - 302-739-9403
Septic System Permits - Large Systems (Community & I/A) Statewide - 302-739-9948
Septic System Permits - Small Systems for Kent & New Castle Counties - 302-739-9947
Septic System Permits - Small Systems for Sussex County & Holding Tank Compliance Program
302-856-4561
Site Investigation & Restoration Section (Superfund/Brownfields) - 302-395-2600
Solid Waste - 302-739-9403
Source Water Protection - 302-739-9945

Surface Water Discharge Permits (NPDES) - 302-739-9946
Underground Injection Control & Spray Irrigation - 302-739-9948
Underground Storage Tanks - 302-395-2500
Wastewater Collection, Conveyance and/or Treatment Facility Construction Permits - 302-739-9946
Wastewater Treatment Facility Operators - 302-739-9946
Water Allocation Permits - 302-739-9945
Water Testing - Drinking Water (Division of Public Health) - 302-741-8630
Water Supply - 302-739-9945
Well Driller's License - 302-739-9944
Well Permits & Licensing - 302-739-9944
Wells - 302-739-9944
Wetlands and Subaqueous Lands Section - 302-739-9943